IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1717 of 2007()

CRIME NO.494/04 OF MALAPPURAM POLICE STATION

: PETITIONER

MUSTHAFA, S/O MAMMAD, KODALI HOUSE,
POOKKOTTUR, ARAVANKARA PALLIPPADI,
MALAPPURAM (DT).

BY ADV. SRI.T.K.AJITH KUMAR

RESPONDENTS:

STATE OF KERALA BY SUB INSPECTOR OF
POLICE, MALAPPURAM POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1717 OF 2007

Dated this the 22nd day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 3rd accused in Crime No.494/04 of Malappuram Police Station for an offence punishable under Sec.376(g) I.P.C., seeks his enlargement on bail. He was arrested on 1.3.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Malappuram and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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